

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DAVID HABIB,

Case No. 2:21-cv-01694-JAD-EJY

Plaintiff,

V.

ORDER

UNITED STATES OF AMERICA ex rel,
UNITED STATES COUNTY CONGRESS
OVERSIGHT COMMITTEE (NGO),
MICHAEL ANTHONY ZARZANO,
FLORIDA COUNTY CONGRESS
OVERSIGHT COMMITTEE (NGO),
UNITED STATES OF AMERICA,

Defendants.

Plaintiff, proceeding *pro se*, filed what appears to be a proposed complaint with the Clerk of Court in an attempt to commence a civil action in this Court. ECF No. 1-1. However, Plaintiff neither paid the \$402 filing fee for this matter nor filed an application to proceed *in forma pauperis*, which he must do pursuant to 28 U.S.C. § 1915(a)(1) and the U.S. District Court for the District of Nevada Local Rule LSR 1-1 if he wishes to proceed without paying the mandatory filing fee. Local Rule LSR 1-1 states: "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*. The application must be made on the form provided by the court and must include a financial affidavit disclosing the applicant's income, assets, expenses, and liabilities."

Accordingly, IT IS HEREBY ORDERED that the Clerk of Court shall send Plaintiff the approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that on or before **November 1, 2021**, Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct form, in compliance with 28 U.S.C. § 1915(a) and LSR 1-1; or (2) pay the full \$402 fee for filing a civil action (which includes the \$350 filing fee and the \$52 administrative fee).

1 IT IS FURTHER ORDERED that failure to comply with this Order may result in a
2 recommendation to dismiss this action without prejudice.

3 IT IS FURTHER ORDERED that the Clerk of Court shall retain, but not file Plaintiff's
4 proposed complaint. ECF No. 1-1.

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6 Dated this 16th day of September, 2021.

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10 ELAYNA J. YOUCRAH
UNITED STATES MAGISTRATE JUDGE

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